

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PHOENIX LIGHT SF DAC, BLUE HERON FUNDING VI LTD., BLUE HERON FUNDING VII LTD., KLEROS PREFERRED FUNDING V PLC, SILVER ELMS CDO PLC, SILVER ELMS CDO II LIMITED, C-BASS CBO XIV LTD. and C-BASS CBO XVII LTD.,

Plaintiffs,

-against-

U.S. BANK NATIONAL ASSOCIATION and BANK  
OF AMERICA, N.A.,

Defendants.

[illegible]

Index No. 14-cv-10116

Hon. Vernon S. Broderick

STIPULATION AND  
[PROPOSED] ORDER

IT IS HEREBY STIPULATED AND AGREED that the causes of action asserted in this action against Bank of America, N.A. insofar as and solely as they relate to the residential mortgage-backed securities trusts contained in Exhibit A hereto are dismissed with prejudice without costs, expenses or attorneys' fees to any party and pursuant to the Federal Rules of Civil Procedure. All other causes of actions asserted against Bank of America, N.A. in the action remain.

**AGREED**

Dated: March 29, 2018

WOLLMUTH MAHER & DEUTSCH LLP

By: /s/ Steven S. Fitzgerald/PPH  
Steven S. Fitzgerald

WOLLMUTH MAHER & DEUTSCH LLP

David H. Wollmuth  
Lyndon M. Tretter  
Steven S. Fitzgerald  
Roselind F. Hallinan  
500 Fifth Avenue, 12th Floor  
New York, NY 10110  
(212) 382-3300; (212) 382-3300 (fax)  
dwollmuth@wmd-law.com  
ltretter@wmd-law.com  
sfitzgerald@wmd-law.com  
rhallinan@wmd-law.com

KOREIN TILLERY LLC

George A. Zelcs  
John A. Libra  
Max C. Gibbons  
Matthew C. Davies  
205 North Michigan Avenue  
Suite 1950  
Chicago, Illinois 60601  
(312) 641-9760; (312) 641-9751 (fax)  
gzlcs@koreintillery.com  
jlibra@koreintillery.com  
mgibbons@koreintillery.com  
mdavies@koreintillery.com

KOREIN TILLERY LLC

Stephen M. Tillery  
505 North Seventh Street  
Suite 3600  
St. Louis, Missouri 63101-1625  
(314) 241-4844; (314) 241-3525 (fax)  
stillery@koreintillery.com

*Attorneys for Plaintiffs Phoenix Light SF  
DAC*

MUNGER, TOLLES & OLSON LLP

By: /s/ James C. Rutten  
James C. Rutten

MUNGER, TOLLES & OLSON LLP

James C. Rutten  
Jacob S. Kreilkamp  
Wesley T.L. Burrell  
Adam P. Barry  
350 South Grand Avenue, 50th Floor  
Los Angeles, California 90071-3426  
(213) 683-9100; (213) 687-3702 (fax)  
james.rutten@mto.com  
jacob.kreilkamp@mto.com  
wesley.burrell@mto.com  
adam.barry@mto.com

SIDLEY AUSTIN LLP

David F. Graham  
One South Dearborn Street  
Chicago, Illinois 60603  
(312) 853-7000; (312) 853-7036 (fax)  
dgraham@sidley.com

SIDLEY AUSTIN LLP

Isaac S. Greaney  
Daniel Gimmel  
Jon W. Muenz  
787 Seventh Avenue  
New York, New York 10019  
(212) 839-5300; (212) 853-5599 (fax)  
igreaney@sidley.com  
dgimmel@sidley.com  
jmuenz@sidley.com

*Attorneys for Defendant Bank of America,  
N.A.*

**EXHIBIT A**

	<b><u>Plaintiff</u></b>	<b><u>Trust</u></b>	<b><u>CUSIP</u></b>	<b><u>Tranche</u></b>	<b><u>Original Face Value</u></b>
1	Phoenix Light SF DAC	MSM 2007-7AX	61754HAC6	2A2	\$30,000,000
2	Phoenix Light SF DAC	WMALT 2007-OA2	93935QAD9	1C	\$43,829,000

ORDER

IT IS SO ORDERED.

DATED: 4/2/2018

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

Vernon S. Broderick  
United States District Judge